

The Honorable James L. Robart

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,

v.
DONALD MCCOY, JR.,
Defendant.

NO. CR16-284JLR

STIPULATED ORDER REGARDING
COMPUTER FORENSIC REVIEW
PROCEDURES FOR CHILD
PORNOGRAPHY CONTRABAND

The parties' stipulated motion for an order regarding the procedures for the computer forensic examination is GRANTED, and IT IS HEREBY ORDERED:

1. The computer forensic examination of the digital evidence may be conducted at a government facility, during regular business hours Monday through Friday from 8:00 a.m. to 5:00 p.m. (PST/PDT). The parties may readdress the Court if there is need for after-hours access during the course of litigation in the event trial or motion hearings require additional forensic review.

2. The defense expert will provide his own workstation for examination of the digital evidence. The defense expert is responsible for providing industry standard software that will enable examination of the forensic images.

1 3. The defense team shall not make, nor permit to be made, any copies of
2 alleged child pornography contraband pursuant to this stipulation and order and shall not
3 remove any contraband images from the government facility. The defense expert shall
4 not save any files to his workstation. The defense expert will take reasonable efforts and
5 exercise due diligence to ensure that his workstation remains free of child pornography
6 and/or artifacts of child pornography.

7 4. Defense expert will be allowed to copy any file that is not contraband and
8 compile a report (without contraband images/videos) documenting the examination on
9 removable media at the discretion of the defense expert. Defense expert will be allowed
10 to copy his report and any non-contraband files onto a defense-provided removable
11 storage device, *e.g.*, a thumb drive.

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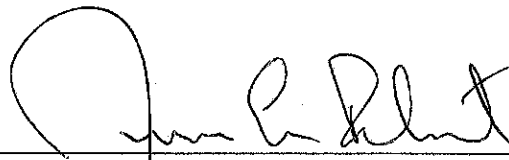
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1 5. At the conclusion of the defense expert's examination, and in order to
2 ensure that no child pornography contraband is removed from government custody or
3 control, a government agent will be allowed to examine the materials that the defense
4 intends to remove from the government facility on the defense-provided removable
5 storage device. The government agent who reviews the defense materials for these
6 purposes shall be an agent who is not associated with the prosecution of the Defendant.
7 This agent shall not communicate any of his/her observations related to the review of the
8 defense materials to case agents or government attorneys associated with the prosecution
9 of the Defendant.

10 DATED this th26 day of April, 2017.

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THE HONORABLE JAMES L. ROBART
UNITED STATES DISTRICT JUDGE

Presented by:

/s/ Matthew P. Hampton

MATTHEW P. HAMPTON

Assistant United States Attorney

/s/ Vanessa Pai-Thompson

VANESSA PAI-THOMPSON

Assistant Federal Public Defender